

46 USC Chapter 556 – Short Sea Transportation

1 -CITE-
2 46 USC CHAPTER 556 - SHORT SEA TRANSPORTATION 01/03/2012
3 (112-90)
4
5 -EXPCITE-
6 TITLE 46 - SHIPPING
7 Subtitle V - Merchant Marine
8 Part D - Promotional Programs
9 CHAPTER 556 - SHORT SEA TRANSPORTATION
10
11 -HEAD-
12 CHAPTER 556 - SHORT SEA TRANSPORTATION
13
14 -MISC1-
15 Sec.
16 55601. Short sea transportation program.
17 55602. Cargo and shippers.
18 55603. Interagency coordination.
19 55604. Research on short sea transportation.
20 55605. Short sea transportation defined.
21
22 -End-
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26 -CITE-
27 46 USC Sec. 55601 01/03/2012
28 (112-90)
29
30 -EXPCITE-
31 TITLE 46 - SHIPPING
32 Subtitle V - Merchant Marine
33 Part D - Promotional Programs
34 CHAPTER 556 - SHORT SEA TRANSPORTATION
35
36 -HEAD-
37 Sec. 55601. Short sea transportation program
38
39 -STATUTE-
40 (a) Establishment. - The Secretary of Transportation shall
41 establish a short sea transportation program and designate short
42 sea transportation projects to be conducted under the program to
43 mitigate landside congestion.
44 (b) Program Elements. - The program shall encourage the use of
45 short sea transportation through the development and expansion of -
46
47 (1) documented vessels;
48 (2) shipper utilization;
49 (3) port and landside infrastructure; and
50 (4) marine transportation strategies by State and local
51 governments.
52
53 (c) Short Sea Transportation Routes. - The Secretary shall
54 designate short sea transportation routes as extensions of the
55 surface transportation system to focus public and private efforts
56 to use the waterways to relieve landside congestion along coastal
57 corridors. The Secretary may collect and disseminate data for the

58 designation and delineation of short sea transportation routes.

59 (d) Project Designation. - The Secretary may designate a project
60 to be a short sea transportation project if the Secretary
61 determines that the project may -

62 (1) offer a waterborne alternative to available landside
63 transportation services using documented vessels; and

64 (2) provide transportation services for passengers or freight
65 (or both) that may reduce congestion on landside infrastructure
66 using documented vessels.

67
68 (e) Elements of Program. - For a short sea transportation project
69 designated under this section, the Secretary may -

70 (1) promote the development of short sea transportation
71 services;

72 (2) coordinate, with ports, State departments of
73 transportation, localities, other public agencies, and the
74 private sector and on the development of landside facilities and
75 infrastructure to support short sea transportation services; and

76 (3) develop performance measures for the short sea
77 transportation program.

78
79 (f) Multistate, State and Regional Transportation Planning. - The
80 Secretary, in consultation with Federal entities and State and
81 local governments, shall develop strategies to encourage the use of
82 short sea transportation for transportation of passengers and
83 cargo. The Secretary shall -

84 (1) assess the extent to which States and local governments
85 include short sea transportation and other marine transportation
86 solutions in their transportation planning;

87 (2) encourage State departments of transportation to develop
88 strategies, where appropriate, to incorporate short sea
89 transportation, ferries, and other marine transportation
90 solutions for regional and interstate transport of freight and
91 passengers in their transportation planning; and

92 (3) encourage groups of States and multi-State transportation
93 entities to determine how short sea transportation can address
94 congestion, bottlenecks, and other interstate transportation
95 challenges.

96
97 (g) Grants. -

98 (1) In general. - The Secretary shall establish and implement a
99 short sea transportation grant program to implement projects or
100 components of a project designated under subsection (d).

101 (2) Applications. - In order to receive a grant under the
102 program, an applicant shall -

103 (A) submit an application to the Secretary, in such form and
104 manner, at such time, and containing such information as the
105 Secretary may require; and

106 (B) demonstrate to the satisfaction of the Secretary that -

107 (i) the project is financially viable;

108 (ii) the funds received will be spent efficiently and
109 effectively; and

110 (iii) a market exists for the services of the proposed
111 project as evidenced by contracts or written statements of
112 intent from potential customers.

113
114 (3) Non-federal share. - An applicant shall provide at least 20

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115 percent of the project costs from non-Federal sources. In
116 awarding grants under the program, the Secretary shall give a
117 preference to those projects or components that present the most
118 financially viable transportation services and require the lowest
119 percentage Federal share of the costs.
120

121 -SOURCE-

122 (Added Pub. L. 110-140, title XI, Sec. 1121(a), Dec. 19, 2007, 121
123 Stat. 1760; amended Pub. L. 111-84, div. C, title XXXV, Sec. 3515,
124 Oct. 28, 2009, 123 Stat. 2724.)
125

126
127 -MISC1-

128 AMENDMENTS

129 2009 - Subsec. (g). Pub. L. 111-84 added subsec. (g).
130

131 EFFECTIVE DATE

132 Chapter effective on the date that is 1 day after Dec. 19, 2007,
133 see section 1601 of Pub. L. 110-140, set out as a note under
134 section 1824 of Title 2, The Congress.
135

136 REGULATIONS

137 Pub. L. 110-140, title XI, Sec. 1121(c), Dec. 19, 2007, 121 Stat.
138 1762, provided that:

139 "(1) Interim regulations. - Not later than 90 days after the date
140 of enactment of this Act [Dec. 19, 2007], the Secretary of
141 Transportation shall issue temporary regulations to implement the
142 program under this section. Subchapter II of chapter 5 of title 5,
143 United States Code, does not apply to a temporary regulation issued
144 under this paragraph or to an amendment to such a temporary
145 regulation.

146 "(2) Final regulations. - Not later than October 1, 2008, the
147 Secretary of Transportation shall issue final regulations to
148 implement the program under this section."
149

150 -End-
151
152
153

154 -CITE-

155 46 USC Sec. 55602
156 (112-90)
157

01/03/2012

158 -EXPCITE-

159 TITLE 46 - SHIPPING
160 Subtitle V - Merchant Marine
161 Part D - Promotional Programs
162 CHAPTER 556 - SHORT SEA TRANSPORTATION
163

164 -HEAD-

165 Sec. 55602. Cargo and shippers
166

167 -STATUTE-

168 (a) Memorandums of Agreement. - The Secretary of Transportation
169 shall enter into memorandums of understanding with the heads of
170 other Federal entities to transport federally owned or generated
171 cargo using a short sea transportation project designated under

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172 section 55601 when practical or available.
173 (b) Short-Term Incentives. - The Secretary shall consult shippers
174 and other participants in transportation logistics and develop
175 proposals for short-term incentives to encourage the use of short
176 sea transportation.
177
178 -SOURCE-
179 (Added Pub. L. 110-140, title XI, Sec. 1121(a), Dec. 19, 2007, 121
180 Stat. 1761.)
181
182 -End-
183
184
185
186 -CITE-
187 46 USC Sec. 55603 01/03/2012
188 (112-90)
189
190 -EXPCITE-
191 TITLE 46 - SHIPPING
192 Subtitle V - Merchant Marine
193 Part D - Promotional Programs
194 CHAPTER 556 - SHORT SEA TRANSPORTATION
195
196 -HEAD-
197 Sec. 55603. Interagency coordination
198
199 -STATUTE-
200 The Secretary of Transportation shall establish a board to
201 identify and seek solutions to impediments hindering effective use
202 of short sea transportation. The board shall include
203 representatives of the Environmental Protection Agency and other
204 Federal, State, and local governmental entities and private sector
205 entities.
206
207 -SOURCE-
208 (Added Pub. L. 110-140, title XI, Sec. 1121(a), Dec. 19, 2007, 121
209 Stat. 1761.)
210
211 -End-
212
213
214
215 -CITE-
216 46 USC Sec. 55604 01/03/2012
217 (112-90)
218
219 -EXPCITE-
220 TITLE 46 - SHIPPING
221 Subtitle V - Merchant Marine
222 Part D - Promotional Programs
223 CHAPTER 556 - SHORT SEA TRANSPORTATION
224
225 -HEAD-
226 Sec. 55604. Research on short sea transportation
227
228 -STATUTE-

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229 The Secretary of Transportation, in consultation with the
230 Administrator of the Environmental Protection Agency, may conduct
231 research on short sea transportation, regarding -
232 (1) the environmental and transportation benefits to be derived
233 from short sea transportation alternatives for other forms of
234 transportation;
235 (2) technology, vessel design, and other improvements that
236 would reduce emissions, increase fuel economy, and lower costs of
237 short sea transportation and increase the efficiency of
238 intermodal transfers; and
239 (3) solutions to impediments to short sea transportation
240 projects designated under section 55601.

241
242 -SOURCE-
243 (Added Pub. L. 110-140, title XI, Sec. 1121(a), Dec. 19, 2007, 121
244 Stat. 1761.)

245
246 -End-

247
248
249
250 -CITE-
251 46 USC Sec. 55605 01/03/2012
252 (112-90)

253
254 -EXPCITE-
255 TITLE 46 - SHIPPING
256 Subtitle V - Merchant Marine
257 Part D - Promotional Programs
258 CHAPTER 556 - SHORT SEA TRANSPORTATION

259
260 -HEAD-
261 Sec. 55605. Short sea transportation defined

262
263 -STATUTE-
264 In this chapter, the term "short sea transportation" means the
265 carriage by vessel of cargo -
266 (1) that is -
267 (A) contained in intermodal cargo containers and loaded by
268 crane on the vessel; or
269 (B) loaded on the vessel by means of wheeled technology; and
270
271 (2) that is -
272 (A) loaded at a port in the United States and unloaded either
273 at another port in the United States or at a port in Canada
274 located in the Great Lakes Saint Lawrence Seaway System; or
275 (B) loaded at a port in Canada located in the Great Lakes
276 Saint Lawrence Seaway System and unloaded at a port in the
277 United States.

278
279 -SOURCE-
280 (Added Pub. L. 110-140, title XI, Sec. 1121(a), Dec. 19, 2007, 121
281 Stat. 1761.)

282
283 -End-

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286 -CITE-
287 46 USC Part E - Control of Merchant Marine Capabilities 01/03/2012
288 (112-90)
289
290 -EXPCITE-
291 TITLE 46 - SHIPPING
292 Subtitle V - Merchant Marine
293 Part E - Control of Merchant Marine Capabilities
294
295 -HEAD-
296 PART E - CONTROL OF MERCHANT MARINE CAPABILITIES
297
298 -End-
299
300
301